

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION  
GANDHINAGAR**

**Petition No. 2245 of 2023.**

**In the Matter of:**

**Petition under Regulations 4 & 5 and Regulation 9.1 of the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and GERC (Procurement of Energy from Renewable Sources) (First Amendment) Regulations, 2014 and GERC (Procurement of Energy from Renewable Sources) (Second Amendment) Regulations, 2018 and GERC (Procurement of Energy from Renewable Sources) (Third Amendment) Regulations, 2022.**

Petitioner : Reliance Industries Limited  
Vraj, Near Chandanbala Tower  
Opp. Suvidha Shopping Centre  
Paldi, Ahmedabad - 380007.

Represented by : Ld. Adv. Mr. Nisarg Desai and Mr. Anant Kapse

**CORAM:**

**Mehul M. Gandhi, Member  
S. R. Pandey, Member**

**Date: 27/05/2024.**

**DAILY ORDER**

1. The present matter was listed for hearing on 22.05.2024.
2. Ld. Adv. Mr. Nisarg Desai, appearing on behalf of the Petitioner, submitted that through this Petition, permission to carry forward its RPO obligation of FY 2022-23 within one year from the date which this matter is decided by the Commission is sought while seeking relaxation or waiver of the provisions of the GERC (RPO) Regulations by giving effect to and implementing circulars dated 01.02.2019 and 01.10.2019 issued by the Ministry of Power, Government of India so as to ensure

capping of the RPO for captive power plants as per aforesaid clarificatory Orders of the Ministry of Power.

3. We have considered the submissions on behalf of the Petitioner. We note that the present Petition is filed by the Petitioner under Regulations 4 & 5 and 9.1 of the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and subsequent amendments made thereto, seeking permission to the Petitioner to carry forward RPO liability of FY 2022-23 within one year from the date which the present matter is decided by the Commission and RPO compliance be allowed at the entry level instead of unit level. It is prayed to pass appropriate directions/orders under Regulations 4.1, 5.1 and 12 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and subsequent amendments made thereto and thereby removing difficulties in permitting the Petitioner to fulfil its RPO liability through interchangeability. i.e., by allowing fulfilment of Solar RPO through purchase of non-solar renewable energy/RECs and vice versa. The Petitioner has also prayed for revision of the RPO targets for FY 2022-23. We note that the aforesaid Regulations have been notified by the Commission in exercise of the powers conferred under Sections 61, 66, 86 (1)(e) and 181 of the Electricity Act, 2003 and all other powers enabling it in that behalf and further amendments have also been issued from time to time. Since, the present matter pertains to RPO and Section 86 of the Electricity Act, 2003 and aforesaid Regulations, the Commission has the power to decide the same. Hence, we decide to admit the present Petition.

- 3.1. We also note that the Petitioner is seeking revision in RPO of FY 2022-23 to the FY 2023-24 or the FY in which the Petition decides, read with other prayers in present Petition. The subject matter of the present Petition is related to compliance of RPO by obligated entities and/or waiver from it, which needs to hear the stakeholders. Hence, we are of the view that it is necessary to hear stakeholders etc. prior to granting the prayers in the present matter for which, the Petitioner is required to give public notice in two daily newspapers, one in English language and one in vernacular language having wide circulation at the State/National level and invite suggestions/views/comments/objections from the stakeholders on the present Petition and thereafter, the Commission can decide the matter.

3.2. Accordingly, we hold that a public hearing shall be conducted to take into consideration the views/comments/suggestions/objections of the stakeholders before deciding the present matter. The Petitioner is, therefore, directed that as stated above a public notice to be issued in one daily Gujarati Newspaper and one English Newspaper having wide circulation in the State/National level stating that they have filed Petition No. 2245 of 2023 before the Commission under Regulations 4 & 5 and Regulation 9.1 of the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and subsequent amendments made thereto, permitting the Petitioner to carry forward RPO liability of FY 2022-23 within one year from the date which the Commission decides and RPO compliance may be allowed at the entry level instead of unit level and to pass appropriate directions/orders under Regulations 4.1, 5.1 and 12 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and subsequent amendments made thereto, for removing difficulties in permitting the Petitioner to fulfil its RPO liability through interchangeability. i.e., by allowing fulfilment of Solar RPO through purchase of non-solar renewable energy/RECs and vice versa. The Petitioner is also directed to upload the present Petition with all the documents on its website and invite comments and suggestions from the stakeholders on the Petition on affidavit within 30 days from the date of issuance of public notice. The Petitioner shall also state in the public notice that the stakeholders/objectors shall file their objections/suggestions in the Petition to the Secretary, Gujarat Electricity Regulatory Commission, 6<sup>th</sup> Floor, GIFT ONE, Road 5C, Zone 5, GIFT City, Gandhinagar - 382355 in five copies along with affidavit in support of their submissions with a direct copy to the Petitioner. Upon receipt of the comments/views/objections/suggestions from the stakeholders, the Petitioner is at liberty to file its reply, if any, to the Commission. The staff of the Commission is also directed to upload the Petition along with all relevant documents on the website of the Commission after compliance affidavit of issuing public notice and uploading of Petition is filed by the Petitioner along with copy of public notices issued by the Petitioner is provided to the Commission and invite comments/suggestions from the stakeholders.

- 3.3. The staff of the Commission is also directed to inform/issue hearing notice for the present Petition to stakeholders/objectors who file their submissions/objections/comments before the Commission in the present matter.
4. The next date of date of hearing will be intimated separately.
5. We order accordingly.

**Sd/-**  
**[S. R. Pandey]**  
**Member**

**Sd/-**  
**[Mehul M. Gandhi]**  
**Member**

Place: Gandhinagar.  
Date: 27/05/2024.

